

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6170 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MUKESH A KANUGA

Versus

GUJARAT STATE CIVIL SUPPLIES CORPORATION LTD

Appearance:

None present for Petitioners

MR KM PATEL for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 25/11/97

ORAL JUDGEMENT

1. The matter was called out for hearing in the first round then in the second round in first sitting and lastly in the third round in second sitting but none put appearance for the petitioners. Perused the special civil application and heard the learned counsel for the respondent.

2. The claim of the petitioners in this special

civil application pertain to the promotion to the post of Senior Assistant. The grievance of the petitioners is that the about 17 or 18 persons junior to them have been given the promotion to the post of Senior Assistant. Those persons have even not been named in the special civil application nor they have been impleaded as party to this petition. Be that as it may. The counsel for the respondent states that both the petitioners have already been promoted to the post of Senior Assistant. Nobody is present on behalf of the petitioners to controvert the same. The counsel for the respondent further made a statement that the petitioner No.1 has not only been promoted to the post of Senior Assistant but he has also been given the deemed date of promotion from 7-11-1985. So far as the petitioner No.2 is concerned, the counsel for the respondent is not definite to say whether the promotion has been given to her from the deemed date or not.

3. In view of the statements made by the counsel for the respondent, so far as the petitioner No.1 is concerned, nothing now survives in this special civil application. The petitioner No.2 has also been given promotion to the post of Senior Assistant and still if some grievance of her survive regarding her claim for deemed date of promotion, it is open to her to file a representation to the respondent and if such a representation is made then the same shall be decided by the respondent within a period of three months from the date of receipt thereof and in case of nonacceptance of the grievance of the petitioner No.2, a reasoned order may be passed and copy of the same may be sent to her by registered post. So far as the petitioner No.1 is concerned, the special civil application is dismissed and Rule is discharged. So far as the petitioner No.2 is concerned, the special civil application and rule stand disposed of in the aforesaid terms with no order as to costs.

zgs/-